

By: Representative Stringer

To: Appropriations

HOUSE BILL NO. 959  
(As Passed the House)

1 AN ACT TO AMEND SECTION 61-13-15, MISSISSIPPI CODE OF 1972,  
2 TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO SELL  
3 THE STATE'S CITATION JET, EITHER BY COMPETITIVE SEALED BIDS, BY  
4 PUBLIC AUCTION OR BY ONLINE AUCTION ON EBAY, WHICHEVER METHOD THAT  
5 THE DEPARTMENT DETERMINES WILL PRODUCE THE MAXIMUM AMOUNT OF  
6 REVENUE TO THE STATE FROM THE SALE; TO PROVIDE THAT THE PROCEEDS  
7 FROM THE SALE OF THE JET SHALL BE DEPOSITED INTO THE MOTOR VEHICLE  
8 AD VALOREM TAX REDUCTION FUND; AND FOR RELATED PURPOSES.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

10 **SECTION 1.** Section 61-13-15, Mississippi Code of 1972, is  
11 amended as follows:

12 61-13-15. (1) Any airplane purchased or operated under the  
13 provisions of this chapter that becomes surplus to the needs of  
14 the state may be sold by the Department of Finance and  
15 Administration upon the receipt of not less than three (3) sealed  
16 bids after giving notice in at least one (1) publication that  
17 primarily includes information about aircraft for sale and by  
18 public advertisement inviting those bids once each week for three  
19 (3) consecutive weeks in some newspaper published in the State of  
20 Mississippi and having general circulation in the state, with the  
21 first publication to be made not less than fifteen (15) days  
22 before the date upon which the bids are to be received and opened.  
23 The aircraft shall be sold to the highest and best bidder for  
24 cash, but the Department \* \* \* may reject any or all bids and  
25 readvertise, in its discretion. Except as otherwise provided in  
26 subsection (3) of this section, the sums derived from that sale  
27 shall be placed in the special fund as established by Section  
28 61-13-17 for the operation of airplanes purchased and operated  
29 under the provisions of this chapter.



30           (2) The Department of Finance and Administration shall  
31 proceed to sell one or more of the aircraft purchased prior to  
32 July 1, 1986, pursuant to this chapter. The sale of such aircraft  
33 pursuant to this subsection shall be subject to the bid  
34 requirements of subsection (1). It is the intent of the  
35 Legislature that the sale of such aircraft shall be timed to  
36 produce the maximum revenues at sale.

37           (3) The Department of Finance and Administration shall sell  
38 the Citation jet that is owned by the State of Mississippi using  
39 the procedure specified in subsection (1) of this section or one  
40 (1) of the following procedures, whichever method that the  
41 department determines will produce the maximum amount of revenue  
42 to the state from the sale:

43           (a) The aircraft may be sold by public auction to be  
44 held at a date set by the department, which shall not be less than  
45 sixty (60) days after the date of notice of the auction by the  
46 department. Before the auction, the department shall advertise  
47 the auction by giving notice in at least one (1) publication that  
48 primarily includes information about aircraft for sale and by  
49 publication in some newspaper published in the State of  
50 Mississippi having general circulation in the state, with the  
51 first publication to be made not less than fifteen (15) days  
52 before the date upon which the auction will be held. The  
53 advertisement shall include a general description of the aircraft  
54 to be sold at the auction and the date, time and place that the  
55 auction will be held. At the auction, any interested party may  
56 bid for cash and the aircraft shall be sold to the highest and  
57 best bidder for cash; however, the department may reject any and  
58 all bids. If the department has previously received bids for the  
59 aircraft under subsection (1) of this section but rejected the  
60 bids, the aircraft must be sold for a consideration not less than  
61 the highest sealed bid that was previously received from the  
62 advertisement for bids. When the aircraft is sold by auction



63 under this paragraph, the department is not required to advertise  
64 for or receive competitive bids in connection with the sale of the  
65 aircraft.

66 (b) The aircraft may be sold by online auction on eBay,  
67 with a minimum reserve requirement that is not less than the fair  
68 market value of the aircraft.

69 The proceeds derived from the sale of the Citation jet shall  
70 be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund  
71 created in Section 27-51-105.

72 **SECTION 2.** This act shall take effect and be in force from  
73 and after July 1, 2010.

